

SUPREME COURT OF THE STATE OF DELAWARE

Mary Murphy v. Jayson Murphy

Murphy · No. No. 275, 2025 · Decided March 2, 2026

SUMMARY

The Delaware Supreme Court dismissed Mary Murphy’s appeal from a Family Court order concerning the enforceability of a premarital agreement. The court dismissed the appeal under Delaware Supreme Court Rule 29(b) because Murphy failed to pay the filing fee after her request to proceed in forma pauperis was denied.

CASE DETAILS

COURT	Supreme Court of the State of Delaware
WRITING FOR THE COURT	Chief Justice Seitz; Justice Legrow; Justice Griffiths
JURISDICTION	Supreme Court of the State of Delaware
DECIDED	March 2, 2026
DOCKET	No. 275, 2025
DISPOSITION	dismissed
PROCEDURAL POSTURE	Mary Murphy appealed the Family Court's denial of her motion to reopen proceedings concerning the enforceability of a premarital agreement. After the Delaware Supreme Court denied her application to proceed in forma pauperis, she failed to pay the appellate filing fee and the court dismissed the appeal.
PRECEDENTIAL VALUE	published
PARTIES	Mary Murphy v. Jayson Murphy

TOPICS

- appellate procedure
- family law procedure
- prenuptial agreements

PRACTICE AREAS

- appellate procedure
- family law
- premarital agreements

QUESTIONS PRESENTED

1. Whether the appeal should be dismissed because Murphy failed to pay the required appellate filing fee after her request to proceed in forma pauperis was denied.

HOLDINGS

1. When an appellant's request to proceed in forma pauperis is denied and the appellant fails to pay the required filing fee, the appeal must be dismissed.

KEY QUOTATIONS

“Because the Court denied Murphy’s motion to proceed in forma pauperis and Murphy has failed to pay the filing fee, this appeal must be dismissed.” (¶ 2)

FACTUAL BACKGROUND

The appeal arose from proceedings concerning the enforceability of a premarital agreement. Murphy sought to reopen those proceedings, but the Family Court denied the motion. The Delaware Supreme Court denied her request to proceed in forma pauperis, and she failed to pay the required filing fee despite notice and an opportunity to show cause.

PROCEDURAL HISTORY

The Family Court denied Murphy's motion to reopen on May 30, 2025. Murphy filed a notice of appeal on June 27, 2025, but did not pay the filing fee after her motion to proceed in forma pauperis was denied. She filed a notice of removal to the United States District Court for the District of Columbia, which remanded the matter to Delaware for lack of subject-matter jurisdiction on February 24, 2026. The Delaware Supreme Court then dismissed the appeal under Supreme Court Rule 29(b).

DISPOSITION

dismissed

OPINION

PER CURIAM.

IN THE SUPREME COURT OF THE STATE OF DELAWARE MARY MURPHY,¹ § § No. 275, 2025 Petitioner Below, § Appellant, § Court Below–Family Court § of the State of Delaware v. § § File No. CN23-03101 JAYSON MURPHY, § Petition No. 23-25440 § Respondent Below, § Appellee. § Submitted: February 24, 2026 Decided: March 2, 2026 Before SEITZ, Chief Justice; LEGROW and GRIFFITHS, Justices.

ORDER (1) On June 27, 2025, Mary Murphy filed a notice of appeal from the Family Court’s May 30, 2025 order denying Murphy’s motion to reopen proceedings relating to the enforceability of a premarital agreement. On July 15, 2025, the Court denied Murphy’s petition to proceed in forma pauperis.

The next day, the Senior Court Clerk advised Murphy to pay the Court's filing fee by July 29, 2025, or a notice to show cause would issue. Murphy failed to pay the filing fee. On July 31, 2025, the Chief Deputy Clerk issued a notice directing Murphy to show cause why this appeal should not be dismissed for her failure to pay the filing fee.

The notice 1 The Court previously assigned pseudonyms to the parties under Supreme Court Rule 7(d). instructed Murphy to respond by August 11, 2025. Murphy did not pay the filing fee. Instead, she filed a notice of removal of this matter to the United States District Court for the District of Columbia.

On February 24, 2026, the District Court remanded this matter to Delaware for lack of subject matter jurisdiction. (2) Under the rules of this Court, a party filing an appeal must pay the applicable filing fees, unless the Court authorizes the commencement of the appeal without prepayment of fees because the party is indigent.² Because the Court denied Murphy's motion to proceed in forma pauperis and Murphy has failed to pay the filing fee, this appeal must be dismissed.

NOW, THEREFORE, IT IS HEREBY ORDERED that this appeal is DISMISSED under Supreme Court Rule 29(b). BY THE COURT: /s/ N. Christopher Griffiths Justice 2 Del. Supr. Ct. R. 20(a), (h). 2